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Remark

Applicant respectfully requests reconsideration of this application as amended.

No Claims have been amended. Claims 32-35 have been previously canceled.

Therefore, claims 1-31 and 36-39 are present for examination.

35 U.S.C. §102 Rejection*Bezner*

The Examiner has rejected claims 17-27, 30-31 and 38-39 under 35 U.S.C. §102 (e) as being anticipated by Bezner, U.S. Patent 6,934,377 ("Bezner"). The Examiner would appear to be overlooking many of the express limitations of e.g. Claim 17. These are discussed below.

- 1) receiving an incoming call at a private telephone switch through the PSTN (Public Switched Telephone Network). Bezner shows only a PSTN and no private telephone switch.
- 2) the incoming call being directed to one of a plurality of individual subscriber telephones that are coupled to the switch. All indications in Bezner are that the individual telephones are connected to the same line 114, 414 without benefit of a private switch.
- 3) generating a call handle for the incoming call at the switch. Applicant is unable to find any call handle and, of course, there is no switch. The mailbox numbers are keyed in by the caller and not by the switch.
- 4) routing the incoming call to a port of a connected call handling system, the call handling system having greeting and message storage for at least some of the plurality of individual subscriber telephones. Bezner has a call handling system but it is integrated

into the PSTN and is not a separate entity. There is an answering machine 126 but it does not have any special communication with a switch or with any of the other devices shown.

For the following limitations, the Examiner would appear to be suggesting that when at step 222, the CPE 112 rings again, that there is some handle associated with it. On the contrary, as explained in the previous paragraphs, the telephone rings and the wrong person answers. The machine tells that person to hang up and then rings the telephone again. The person who was just told to hang up, now knows this is the same call again only because it is the next call. There is no suggestion of the person receiving or reading any kind of a call handle, nor of any such handle being sent.

5) sending the call handle to the call handling system in association with the routed incoming call. Again, the Examiner has not identified a call handle and Applicant is unable to find one.

6) receiving a transfer of the call from the call handling system, and routing the same call to a second port of the connected call handling system. In Bezner, there is one phone line, one telephone number (see Col. 5, line 66) and multiple telephones plugged into it. There are no ports 412, 418, 419 on the subscriber side. These are telephones connected in parallel to the same twisted pair 414 from the PSTN. If there is a call handling system, then it must be part of the PSTN 100. Even if there were a description of transferring calls between a call handling system and switch of the PSTN, and Applicant has found none, then that would still not meet the claim because the switch and the call handling system are separate from the PSTN in e.g. Claim 1.

7) sending the same call handle to the call handling system in association with the routed call. Again, Applicant is unable to find any call handles. At Column 5, lines 15-

17, the person who picked up the phone the last time it rang is supposed to know not to pick it up the next time it rings because the PSTN told him not to.

8) sending an indication to the call handling system of whether the incoming call routed to the second port has been previously handled by the call handling system in association with the routed incoming call. If the Examiner means that the indication is the voice message instructing the person who last picked up the phone not to pick it up again, then this reading ignores most of this limitation. The person is not the call handling system. The person does not have multiple ports.

For all of the above reasons, and more, Claim 17 is not believed to be anticipated by Bezner. Applicant fails to understand the Examiner's reading of the claim and suggests that the *prima facie* case of anticipation has not been made. For the above reasons, among others, this rejection as to all of the rejected claims is believed to be traversed.

35 U.S.C. §102 Rejection

Eckhart

The Examiner has rejected claims 17-27, 30-31 and 38-39 under 35 U.S.C. §102 (c) as being anticipated by Eckhart, U.S. Patent 5,555,292 ("Eckhart"). Applicants respectfully submit that Eckhart would appear to have been published in 1996, more than a year before the filing date of the present application. Accordingly, 35 U.S.C. §102 (e) would not appear to be the best basis for the rejection.

The Examiner points to the summary of the invention without specifically identifying any of the features of e.g. Claim 17. Considering Eckhart in detail, Applicant can only guess at how the Examiner is reading the claim onto the reference. One element

that is obviously missing from Eckhart is a call handle. The call handle is sent to the call handling system a first and a second time as the call is routed back to the switch and then back to the call handling system.

In the summary section, the only thing that is sent to the voice mail system is the telephone number to which the call is directed. However, this is done when the first attempt to reach the voice mail system fails. Accordingly there is no sending the call and then routing the same call after receiving a transfer of the call. Note in Figure 2A that step 20 is performed only if voice mail is not available in step 13. Accordingly, the stored telephone number of step 20 does not meet the limitations regarding the call handle.

Applicant is unable to find any parallel to the last element of the claim, "sending an indication..."

For at least the above reasons, Applicant submits that this rejection is also traversed. If Applicant has failed to correctly understand the invention, then Applicant respectfully requests that the Examiner specifically point out how the claims are to be read on the reference.

Allowable Subject Matter

Claims 1-16, 28-29 and 36-37 are allowed. These claims remain in the application.

Conclusion

Applicant respectfully submits that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

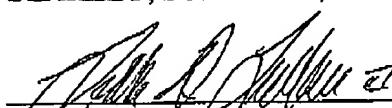
Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 7/18/06



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